

An act to add Section 68075.7 to the Education Code, relating to public postsecondary education.

SECURED  
COPY

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 68075.7 is added to the Education Code, to read:

68075.7. Notwithstanding any other law:

(a) Effective for academic terms beginning after July 1, 2015, a student enrolled at a campus of the California Community Colleges or the California State University who meets all of the following requirements shall be exempt from paying nonresident tuition or any other fee that is exclusively applicable to nonresident students:

(1) The student resides in California.

(2) The student meets the definition of “covered individual,” as that term is defined in subsection (c) of Section 3679 of Title 38 of the United States Code, as that provision read on July 1, 2015.

(3) The student is eligible for education benefits under either the federal Montgomery GI Bill–Active Duty program (Chapter 30 (commencing with Section 3001) of Title 38 of the United States Code) or the Post 9/11 GI Bill program (Chapter 33 (commencing with Section 3301) of Title 38 of the United States Code), as each read on July 1, 2015.

(b) After the expiration of the three year period following discharge or death as described in subsection (c) of Section 3679 of Title 38 of the United States Code, a student who qualifies for an exemption from paying nonresident tuition and other applicable fees under subdivision (a) shall be deemed to maintain “covered individual” status as long as the student remains continuously enrolled at a campus, even if the student enrolls in multiple programs, and the student shall continue to be exempt from paying nonresident tuition and other fees that are exclusively applicable to nonresident

students. As used in this section, “continuously enrolled” means enrolled for at least the fall and spring semesters of an academic year, or for at least three of the quarters in an academic year for an institution using the quarter system.

(c) The attendance of a community college student who is exempt from paying nonresident tuition and other fees pursuant to this section may be reported by the community college district of attendance for apportionment purposes.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, \_\_\_\_\_.

General Subject: Public postsecondary education: exemption from nonresident tuition.

(1) Under existing law, the segments of the public postsecondary education system in the state include the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, and the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges.

Existing law exempts a student of the California Community Colleges or the California State University who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from paying nonresident tuition for the length of time he or she lives in the state after being discharged up to the minimum time necessary to become a resident.

Existing law also exempts a student meeting the qualifications described above if he or she is enrolled, or intending to enroll, at a campus of the California Community Colleges or as an undergraduate at a campus of the California State University from paying nonresident tuition for up to one year if he or she files an affidavit with the

institution stating that he or she intends to establish residency in California as soon as possible. Existing law requires a student to use this exemption within 2 years of being discharged.

Existing law requires the California Community Colleges and the California State University, and requests the University of California, to update and adopt policies no later than July 1, 2015, regarding tuition rates for eligible veterans and their eligible dependents to ensure conformity to, and compliance with, the federal Veterans Access, Choice, and Accountability Act of 2014 and the requirements of the provisions described above.

The provisions of existing law described above are applicable to the University of California only to the extent that the regents act, by resolution, to make these provisions applicable.

This bill, notwithstanding these provisions of existing law, would provide that, effective for academic terms beginning after July 1, 2015, a student enrolled at a campus of the California Community Colleges or the California State University who resides in California, meets the definition of “covered individual” under a specified federal statute, and is eligible for education benefits under either of 2 specified federal “GI Bill” programs, is exempt from paying nonresident tuition and any other fees exclusively applicable to nonresident students at that campus.

The bill would provide that a student who qualifies under this bill for an exemption from paying nonresident tuition and other fees exclusively applicable to nonresident students would be exempt from paying nonresident tuition and these other fees for each academic term for which he or she enrolls while he or she is continuously

enrolled, as defined, at the campus he or she attends. To the extent that this provision would create new duties for community college districts, it would constitute a state-mandated local program.

The bill would authorize a community college district to report the attendance of a student who is exempt from nonresident tuition and other fees under this bill for apportionment purposes.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.